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EXAMINER

EHICHIOYA, FRED I

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 01/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/759,215

Applicant(s)

KRAUSE, THOMAS W.

Examiner

Fred I. Ehichioya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 - 22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. The application has been examined. Claims 1 - 22 are pending in this office action.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3 - 9, 12, 14, 16, 18, and 19 are rejected under 35 U.S.C. 102(b) as being unpatentable over Cannon (U.S. Patent 5,056,029).

Regarding claim 1, Cannon teaches a computer-implemented method for providing a user with birthday information comprising (see column 3, lines 14 - 17; column 5, lines 1 - 7; column 6, 51 - 64 and column 7, lines 60 - 63):

a) receiving an input signal comprising age information ("The queries prompt the customer to input several data set items. Most of these data set items are the special occasion parameters

used to define the specific type, or field of greeting card" see column 7, lines 11 -14); and

b) providing an output signal ("Lastly, the selected greeting card is reproduced in tangible form and vended to the customer" see column 7, lines 26 - 28) comprising age-event ("a search for a birthday card for a two year old boy" see column 5, lines 3) information corresponding to said age information ("a two year old boy").

Regarding claim 3, Cannon teaches the claim subject matter as discussed in claim 1.

Cannon further teaches wherein the input signal comprises age information relating to a target individual ("Suppose a customer desires a birthday card for his two-year old son" column 11, lines 35 - 56), and the output signal comprises age-event information customized for said target individual ("The customer would then touch the "2" button of age input buttons 238' and the computer 12 would update the display to that shown in FIG. 12. Since two is the proper age, the customer would touch 242' "done" to initiate the search process 300. This completes the step 200 that queries the customer to input a plurality of special occasion parameters. The interactive method of the display procedure ensures that the special occasion

parameters input by the customer are the same as those parameters that are used to identify each card design in the database " see column 11, lines 52 - 627).

Regarding claim 4, Cannon teaches the claim subject matter as discussed in claim 3.

Cannon further teaches wherein the output signal further comprises a date ("This display query requests that the customer enter age data" see column 9, lines 61 - 62); and the age event information customized for said target individual comprises information about an event in the life of an age-event individual when the age-event individual was the same age as the target individual on said date ("The special occasion parameters are those parameters that serve to identify the field of the card. For example, such parameters might be "birthday", "son", and "two-year olds" to define a birthday card for a two-year old son. Each card thus has as many special occasion parameters as are needed to conveniently define the field of the card" see column 5, lines 20 - 27).

Regarding claim 5, Cannon teaches the claim subject matter as discussed in claim 1. Cannon further teaches wherein the input signal comprises a birthdate ("This display query requests

that the customer enter age data. This query allows the customer to either input a specific age 238, or input "age unknown" 240'. If the customer inputs a specific age, it is received via the age input buttons 238'" see column 9, lines 61 - 65).

Regarding claim 6, Cannon teaches the claim subject matter as discussed in claim 1. Cannon further teaches the input signal comprises an age in years ("Suppose a customer desires a birthday card for his two-year old son. Upon activation of the start procedure 150 of FIGS. 3 and 4, the customer would be presented with the display of FIG. 8. Since he is looking for a birthday card, he would press choice 204' on the touch screen 20. The computer 12 detects this input at step 204 of FIG. 4" see column 11, lines 35 - 41).

Regarding claim 7, Cannon teaches the claim subject matter as discussed in claim 1.

Cannon further teaches wherein the output signal is obtained by comparing the input signal to an age-event database ("The interactive method of the display procedure ensures that the special occasion parameters input by the customer are the same as those parameters that are used to identify each card design in the database" see column 11, lines 58 - 62), and

selecting at least one item from the age-event database that corresponds to an age that derives from said inputted age information ("As discussed earlier, the cards found in the database search are divided into two files, those cards that met all of the input special occasion parameters, and those found that did not. Since five cards were found for two-year olds, the customer would touch box 404' in FIG. 13. The computer then searches the age specific file, and displays the face, or front of the first card in FIG. 14. The "open" button 412' is touched, and the computer 12 displays the inside of the card in FIG. 15. To reproduce the card, the customer would touch 502' and the on-site greeting card manufacturing and vending machine would print and vend the card" see column 12, 3 - 15).

Regarding claim 8, Cannon teaches the claim subject matter as discussed in claim 4. Cannon teaches further the step of generating a customized greeting for the target individual ("Once an input is detected by 228 through 230 from the display shown in FIG. 10, the program proceeds to step 236, which generates the display illustrated in FIG. 11. This display query requests that the customer enter age data. This query allows the customer to either input a specific age 238, or input "age unknown" 240'. If the customer inputs a specific age, it is

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received via the age input buttons 238'. Once the age is input, it is displayed as shown in FIG. 12. If the age displayed is correct, the customer would touch "done" 242' to direct the computer 12 to initiate the database search 300" see column 9, lines 58 - 68).

Regarding claim 9, Cannon teaches the claim subject matter as discussed in claim 8. Cannon further teaches the customized greeting is an electronic greeting card ("a communication modem 26 could be used to transfer data regarding card sales, machine performance, trouble or other data to a remote data collection and service location" see column 12, lines 16 - 20).

Regarding claim 12, Cannon teaches the claim subject matter as discussed in claim 3.

Cannon teaches further the step of generating a life-chart for the target individual, wherein said life-chart comprises age-events related to at least about one year of the life of said target individual (see Cannon Fig.4, Fig.5, Fig.5a and Fig.12).

Regarding claim 14, Cannon teaches a computer system for providing age-event information, comprising:

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computer processor means for processing data ("MacIntosh II computer available from the Apple Computer Company" see column 7, lines 45 - 49. It would have been obvious to one of ordinary skill in the art to ascertain that "MacIntosh II" comprises CPU "Central Processing Unit").

storage means for storing data on a storage medium ("A replaceable optical disk is used as the storage medium for the database 16 in the preferred embodiment, although other high density storage units, such as magnetic disk or tape media, solid state electronic data storage media, or the like can also be used advantageously" see column 4, lines 28 - 33 and column 7, lines 31 - 35);

means for receiving age information input ("The input device 20 could be a trackball, keyboard, or mouse instead of a touchscreen" see column 7, lines 52 - 53); and means, responsive to said receiving means, for outputting age-event information to a user ("For example, the display screen 18 may be monochrome rather than color and the printer may be of a type that prints only one color" see column 7, lines 50 - 52).

Regarding claim 16, Cannon teaches the claim subject matter as discussed in claim 14. Cannon further teaches means for generating a customized greeting from the user to a target ("The

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operation of the greeting card reproducing and vending machine 10 can be more easily understood by referring to a specific example. Suppose a customer desires a birthday card for his two-year old son. Upon activation of the start procedure 150 of FIGS. 3 and 4, the customer would be presented with the display of FIG. 8. Since he is looking for a birthday card, he would press choice 204' on the touch screen 20. The computer 12 detects this input at step 204 of FIG. 4, and proceeds to step 220 to further refine the field of search" see column 11, lines 33 - 56).

Regarding claim 18, Cannon teaches a computer memory storage device encoded with a computer program ("the present invention will be most easily performed by programming the computer 12 to execute the steps of the method of the invention" see column 7, lines 60 - 68) for using a computer system to provide age-event ("a search for a birthday card for a two year old boy" see column 5, lines 3) information comprising: means for inputting age information ("The input device 20 could be a trackball, keyboard, or mouse instead of a touchscreen" see column 7, lines 52 - 53); and means for providing age-event information as output ("For example, the display screen 18 may be monochrome rather than

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color and the printer may be of a type that prints only one color" see column 7, lines 50 - 52).

Regarding claim 19, Cannon teaches the claim subject matter as discussed in claim 18. Cannon further teaches means for generating a customized greeting ("The operation of the greeting card reproducing and vending machine 10 can be more easily understood by referring to a specific example. Suppose a customer desires a birthday card for his two-year old son. Upon activation of the start procedure 150 of FIGS. 3 and 4, the customer would be presented with the display of FIG. 8. Since he is looking for a birthday card, he would press choice 204' on the touch screen 20. The computer 12 detects this input at step 204 of FIG. 4, and proceeds to step 220 to further refine the field of search" see column 11, lines 33 - 56).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 13, 15, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cannon (U.S. Patent 5,056,029) in view of Simpson (U.S. Patent 6,453,300 B2).

Regarding claim 2, Cannon teaches the claim subject matter as discussed in claim 1. Cannon also teaches the input signal ("The queries prompt the customer to input several data set items. Most of these data set items are the special occasion parameters used to define the specific type, or field of greeting card" see column 7, lines 11 -14) comprises a date ("other parameters may further define other relative characteristics of the card, such as a particular age for a birthday card, or the specific year of the anniversary card" see column 2, lines 55 - 53) and

the output signal ("Lastly, the selected greeting card is reproduced in tangible form and vended to the customer" see column 7, lines 26 - 28) comprises a celebrity ageliner.

Cannon does not teach a celebrity ageliner.

However, Simpson teaches a celebrity ageliner ("It may, for example, provide information on birth flowers, birth stones, famous people having birthdays during that particular month, famous events occurring during that month, and/or any other suitable information" see column 6, lines 32 - 40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Cannon by teaching of Simpson wherein the birth dates of famous people translates as celebrity ageliner. These are input to creating the greeting cards. Information of the recipient is stored in the database. Consequently, this enables the purchaser to compare the age, create and give the card to its intended recipient.

Regarding claim 13, Cannon teaches the claim subject matter as discussed in claim 3. Cannon does not teach the steps of generating a life-clock display for the target individual, wherein said life-clock display comprises a symbolic representation of the amount of life an individual has lived and

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the amount of life an individual has remaining; and providing age-event information on said life-clock display. (see column 1 - 7)

However, Simpson teaches the said life-clock display comprises a symbolic representation of the amount of life an individual has lived and the amount of life an individual has remaining ("the website may provide a service which enables users to record addresses and dates for a plurality of people for whom they would like to be reminded, by e-mail or otherwise, of upcoming dates related thereto. For example, the user could enter the name, address and birthday information, on a personal web page or the like, for all of the people in his/her family, which information is then stored in a database by the website. The system is then programmed to send reminders to the user informing the user of the upcoming birthday, which reminder then gives the user the opportunity to order a customized CD gift for the family member as described above. The website may provide database management functions to the users which enables the users to edit, add and delete information from their personal database or web page records. The personal page may show orders placed in the past, orders shipped, orders confirmed, number of days until recorded person's birthdays and/or the like information which enables the user to keep track of and manage

information on people and special occasions" see column 12, lines 35 - 55); and providing age-event information on said life-clock display ("Based on the purchaser's answers to these questions, the database pulls out a default set of assets that are generally considered appropriate for the recipient. For example, a 22 year old female's default may include satin backgrounds and flower animations, while a 9 year old boy's default may include a space ship background and balloon animations" see column 9, lines 5 - 11 and column 12, lines 35 - 55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Cannon by teaching of Simpson wherein a search for a birthday card for "a two year old" and "a 22 year old" translates to the life-clock of those individuals. Simpson further explains keeping records of the ages and number times greeting cards have been sent to an individual. Consequently, the customer can keep track of how long an individual have lived and also guess the number years remaining to live. This will give the customer an idea of the contents of the greeting card for that special event.

Regarding claim 15, Cannon teaches the claim subject matter as discussed in claim 14. Cannon does not teach the means for generating a celebrity ageliner.

However, Simpson teaches the output signal comprises a celebrity ageliner ("It may, for example, provide information on birth flowers, birth stones, famous people having birthdays during that particular month, famous events occurring during that month, and/or any other suitable information. In one embodiment, the CD 62 contains odd facts, obscure trivia and fun information about, for example, a particular birthstone, birth flower, etc., such as where it comes from, why it may be unusual, and/or any other similar, related or other type of information that is desirable" see column 6, lines 32 - 40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Cannon by teaching of Simpson wherein the "CD 62" is a device for generating information about birth dates of famous people. This information is input to creating the greeting cards. Information of the recipient is stored in the database. Consequently, this enables the purchaser to compare the age, create and give the card to its intended recipient.

Regarding claim 21, Cannon teaches the claim subject matter as discussed in claim 1. Cannon does not teach corresponds to a first individual, and said method further comprises: receiving an input signal comprising the name of a second individual; wherein said output signal comprises at least one age-event related to said second individual.

However, Simpson teaches corresponds to a first individual ("These and other objects and advantages are achieved by the instant invention which provides a method and system for enabling a first person to produce a customized gift for a second person, including: providing a computer-readable storage medium having a control program and non-customized information stored thereon; obtaining data from the first person which relates to the second person" see column 2, lines 11 - 17), and said method further comprises:

receiving an input signal comprising the name of a second individual ("obtaining data from the first person which relates to the second person; using the data to generate a customization code; providing the gift and the customization code to the second person" see column 2, lines 16 - 17); wherein said output signal comprises at least one age-event related to said second individual ("using the data to generate a customization code;

providing the gift and the customization code to the second person" see column 2, lines 17 - 19).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Cannon by teaching of Simpson wherein obtaining information from the first person which relates to the second person. This information is used to generate greeting card for the second person. Advantageously, non-customize information from the first person is used to customize a gift for the second person.

Regarding claim 22, Cannon teaches the claim subject matter as discussed in claim 21. Cannon does not teach the output signal further comprises at least one date in the life of said first individual, wherein the age of said first individual on said date is the same as the age of said second individual at the time of said at least one age event

However, Simpson teaches the output signal further comprises at least one date in the life of said first individual, wherein the age of said first individual on said date is the same as the age of said second individual at the time of said at least one age event (see column 2, lines 11 - 47).

6. Claims 10, 11, 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cannon (U.S. Patent 5,056,029) in view of Tackbary et al (U.S. Patent 5,555,496).

Regarding claim 10, Cannon teaches the claim subject matter as discussed in claim 8. Cannon does not teach where the customized greeting is a greeting card produced at an automated greeting card kiosk.

However, Tackbary et al. teaches where the customized greeting is a greeting card produced at an automated greeting card kiosk ("A number of different methods for purchasing cards are available in addition to the traditional card shop. For example, individuals may purchase cards from automated kiosks which print cards" see column 1, lines 45 - 48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Cannon by teaching of Tackbary et al. wherein greeting cards are produced at an automated Kiosks which prints cards. Cards purchaser cannot temporarily set aside cards in which they are interested, but for which they do not have an immediate use. Hence automated Kiosks, which dispense greeting cards, are more convenient.

Regarding claim 11, Cannon teaches the claim subject matter as discussed in claim 3. Cannon does not teach further comprising the step of generating a customized calendar for the target individual.

However, Tackbary et al. teaches the step of generating a customized calendar for the target individual ("The user also can view at the top of the default desktop configuration view 355 a toolbar 440 containing buttons (not shown) which allow the user one-click access to frequently used windows which are opened and closed in response to the user. Other frequently used windows include a card sort window 465, an address book window 470 for entering recipient data, a calendar window 475, and an order summary window 480. The address book window 470 and calendar window 475 permit the user to alter the appearance of the default desktop configuration screen 355 by displaying view screens that filter and group the envelope images" see column 7, lines 51 - 58 and column 10, lines 22 - 35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Cannon by teaching of Tackbary et al. wherein the calendar shows all the days for a given period of time. It also displays events for all recipients within that period of time shown.

Regarding claim 17, Cannon teaches the claim subject matter as discussed in claim 14. Cannon does not teach means for generating a customized calendar.

However, Tackbary et al. teaches means for generating a customized calendar ("Referring now to FIG. 7, in response to clicking the calendar button 475 shown in FIG. 4, a calendar view screen 900 is displayed. The calendar view screen 900 is split between a desktop configuration view 905 (similar to the default desktop configuration view 355 shown in FIG. 4) and a calendar 910 showing all days for a given period of time, such as for one month. The calendar 910 displays events for all recipients within that period of time shown. A recipient name 915 (or multiple names) is shown within a calendar date box 920" see column 7, lines 51 - 58 and column 10, lines 22 - 35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Cannon by teaching of Tackbary et al. wherein "calendar button 475" to access the view screen. The calendar shows all the days for a given period of time. It also displays events for all recipients within that period of time shown.

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Regarding claim 20, Cannon teaches the claim subject matter as discussed in claim 18. Cannon does not teach means for generating a customized calendar.

However, Tackbary et al. teaches means for generating a customized calendar (see column 7, lines 51 - 58 and column 10, lines 22 - 35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Cannon by teaching of Tackbary et al. wherein "calendar button 475" to access the view screen. The calendar shows all the days for a given period of time. It also displays events for all recipients within that period of time shown.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred I. Ehichioya whose telephone number is 703-305-8039. The examiner can normally be reached on M - F 8:00 AM to 4:30 PM.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-


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7239 for regular communications and 703-746-7238 for After Final communications.

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-303-3900.

FE

January 10, 2003


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100